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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/767,156

01/28/2004

Eric C. Hannah

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4627

7590 10/28/2008  
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EXAMINER

WILLIAMS, LAWRENCE B

ART UNIT

PAPER NUMBER

2611

MAIL DATE

DELIVERY MODE

10/28/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/767,156	<b>Applicant(s)</b> HANNAH, ERIC C.	
	<b>Examiner</b> LAWRENCE B. WILLIAMS	<b>Art Unit</b> 2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 7/16/2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8-14 and 20-25 is/are rejected.
- 7) ☒ Claim(s) 1-19 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Terminal Disclaimer***

1. The terminal disclaimer filed on July 16 2008 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US Patent 6,711,216 has been reviewed and is accepted. The terminal disclaimer has been recorded.

### ***Claim Objections***

2. Claims 1, 8, 15 are objected to because of the following informalities: The examiner suggests, delay/amplitude echo map for consistency. Claims 2-7, 9-14, 16-19 are objected to as well based on their dependency upon claims 1, 8 and 15. Appropriate correction is required.

3. Claims 4-6 are objected to because of the following informalities: Claim 4 recites, “a delay/amplitude echo map” in line 8, while claim 5 makes reference to a delay/amplitude map in line 2, and claim 6 makes reference to a delay/amplitude echo map in line 4. The examiner suggests delay/amplitude echo map in claim 5 for consistency. Appropriate correction is required.

4. Claims 11-13 are objected to because of the following informalities: Claim 11 recites, “a delay/amplitude echo map” in line 8, while claim 12 makes reference to a delay/amplitude map in line 2, and claim 13 makes reference to a delay/amplitude echo map in line 4. The examiner suggests delay/amplitude echo map in claim 12 for consistency. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 8-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The preamble of claim 8 recites, “ A computer readable storage medium including program instructions that direct a computer to function in a specified manner when executed by a processor, **the program instructions comprising:**”. The body of the claims goes on to recite steps of transmitting and repeating the transmitting. It is unclear as to how the program instructions can comprise the steps of transmitting and repeating the transmitting. The examiner suggests applicant rewrite the claim to particularly point out and distinctly claim the subject matter regarded as the invention.

Claims 9-14 are rejected based on their dependency upon rejected claim 8.

Claim 9 also reads, the computer readable storage medium of claim 8, further comprising. It is again unclear how the computer readable storage medium can comprise the step of predistorting.

Claim 11 also reads, the computer readable storage medium of claim 8, further comprising. It is again unclear how the computer readable storage medium can comprise the steps of receiving, driving, sampling and repeating.

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Claim 12 also reads, the computer readable storage medium of claim 11, further comprising. It is again unclear how the computer readable storage medium can comprise the step of transmitting.

Claim 13 also reads, the computer readable storage medium of claim 11, further comprising. It is again unclear how the computer readable storage medium can comprise the step of removing.

7. Claims 20-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 20 recites the limitations “ a communication interface to repeat the transmission of a pulse signal over a channel until a delay/amplitude map of the transmission channel is received from **the communication receiving station**. This limitation is unclear. Since the claim discloses “a plurality of communication stations coupled to the form a wireless network” and each communication station would form its own transmission channel, it is unclear as which transmission channel the pulse is repeated and from which communication station a delay/amplitude map is received. The examiner suggests applicant rewrite the claim to particularly point out and distinctly claim the subject matter which applicant regards as the invention. There is also a lack of antecedent basis for “the communication receiving station” in line 6.

Claims 21-25 are rejected based on their dependency upon rejected claim 20.

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8. Claims 1-25 would be allowable if rewritten to overcome the U.S.C. 112 rejections and claim objections cited above.

***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lawrence B Williams whose telephone number is 571-272-3037. The examiner can normally be reached on Monday-Friday (8:00-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ghayour Mohammad can be reached on 571-272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

lbw  
October 28, 2008

/Lawrence B Williams/

Primary Examiner, Art Unit 2611